

HOUSE BILL NO. 4492

April 23, 2019, Introduced by Reps. Gay-Dagnogo, Iden, Warren, LaGrand, Chirkun and Sowerby and referred to the Committee on Regulatory Reform.

A bill to amend 1980 PA 299, entitled
"Occupational code,"
by amending section 104 (MCL 339.104), as amended by 2016 PA 412.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 104. (1) "Department" means the department of licensing
2 and regulatory affairs.

3 (2) "Director" means the director of the department or his or
4 her authorized representative.

1 (3) "Disability" means an infirmity that prevents a board
2 member from performing a duty assigned to the board member.

3 (4) "Files" means the records, memoranda, opinions, minutes,
4 and similar written materials that were formerly in the physical
5 dominion of a board abolished by this act and the records,
6 memoranda, opinions, minutes, and similar written materials of a
7 board created under this act.

8 (5) "Formal complaint" means a document that states the
9 charges of each alleged violation and is prepared by the department
10 or the department of attorney general after a complaint is received
11 by the department.

12 (6) "General public" means each individual residing in this
13 state who is 18 years of age or older, other than an individual or
14 the spouse of an individual who is licensed or registered in the
15 occupation or who has a material financial interest in the
16 occupation regulated under the specific article in which the term
17 is used.

18 (7) "Good moral character" means good moral character as
19 defined in, ~~section 1 of and~~ **determined under**, 1974 PA 381, MCL
20 338.41 **to 338.47**.

21 (8) "Incompetence" means a departure from, or a failure to
22 conform to, minimal standards of acceptable practice for an
23 occupation.

24 (9) "Knowledge and skill" means the information, education,
25 practical experience, and the facility in applying that
26 information, education, and practical experience.

27 Enacting section 1. This amendatory act takes effect 90 days
28 after the date it is enacted into law.

29 Enacting section 2. This amendatory act does not take effect

- 1 unless Senate Bill No.____ or House Bill No. 4488 (request no.
- 2 00446'19) of the 100th Legislature is enacted into law.